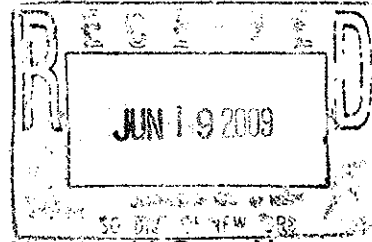


**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

-----X  
In re

**GENERAL MOTORS CORP., ET AL.,**

Debtors.  
-----X



Chapter 11 Case No.

09-50026 (REG)

(Jointly Administered)

**OBJECTION TO THE RELIEF SOUGHT IN THE MOTION TO SELL  
SUBSTANTIALLY ALL OF DEBTOR'S ASSETS PURSUANT TO MASTER SALE  
AND PURCHASE AGREEMENT WITH VEHICLE ACQUISITION HOLDINGS LLC,  
A US TREASURY-SPONSORED PURCHASER**

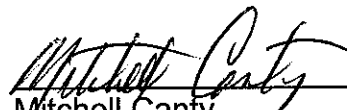
Now comes Mitchell R. Canty, a CREDITOR of General Motors Corporation, and OBJECTS to the sale or disposition of any of the assets of debtor General Motors Corporation without due consideration and payment of the debt owed to Mitchell R. Canty by General Motors Corporation. Said debt originated following a 12/18/2001 accident for which the airbag system of a 2001 Cadillac DTS, VIN 1G6KF57951U245673, failed to deploy, causing both property damage and personal injury to the occupants. Owner and occupant of the vehicle at the time of collision had a more than reasonable expectation that the airbag system would deploy during a head on collision for which the vehicle was traveling in excess of 40 mile per hour prior to impact pursuant to the aggressive marketing, advertising, documentation, and sales presentations, in whole and in part, by and through General Motors Corporation and its Cadillac division. The claims administrator specifically acknowledged that General Motors Corporation deliberately avoided negative issues and problems with airbag deployment so as to not deter customers from buying their vehicles.

Mitchell R. Canty and his daughter sustained property damage and personal injury in excess on five hundred thousand dollars (\$500,000.00). Claims for and in the amount stated above have been submitted to General Motors Corporation (Please see attached exhibit 1), and a Proof of Claim (Please see attached exhibit 2) is being submitted to the United States Bankruptcy Court, Southern District of New York pursuant to the time frames for such submittals.

There is no current provision in the bankruptcy documents, or in the motion to sell said assets to address the debt owed by General Motors Corporation to Mitchell Canty. Said debt must be addressed in the same format and completeness as other unsecured debt, for which as much as fifty-seven percent (57%) of unsecured debt is being recovered by selected unsecured creditors. To completely ignore the debt owed to Mitchell Canty by General Motors Corporation is unfair and unjust, it provides complete favoritism toward selected debt at the expense of other debtors, and is in violation of established bankruptcy laws and practices.

Wherefore, Mitchell Canty, a creditor of General Motors Corporation in the amount of five hundred thousand dollars (\$500,000.00) OBJECTS to the motion to sell or dispose of any of the assets of debtor General Motors Corporation without due consideration and payment of the debt owed to Mitchell R. Canty by General Motors Corporation.

Respectfully Submitted,

  
\_\_\_\_\_  
Mitchell Canty  
8146 Reynoldswood Drive  
Reynoldsburg, Ohio 43068  
614-738-4604

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and accurate copy of the foregoing was served by ordinary US mail, prepaid, upon the following:

Weil, Gotshal & Manges LLP  
Attn.: Harvey R. Miller  
Stephen Karotkin, Esq.  
Joseph H. Smolinsky, Esq.  
Attorneys for the Debtors  
767 Fifth Avenue  
New York, NY 10153

U.S. Attorney's Office, S.D.N.Y.  
Attn.: David S. Jones  
Matthew L. Schwartz  
86 Chambers Street  
Third Floor  
New York, NY 10007

Cadwalader, Wickersham & Taft LLP  
Attn.: John J. Rapisardi, Esq.  
Attorneys for the Purchaser  
One World Financial Center  
New York, NY 10281

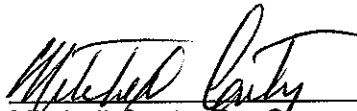
Cleary Gottlieb Steen & Hamilton LLP  
Attn.: James L. Bromley, Esq.  
Attorneys for the UAW  
One Liberty Plaza  
New York, NY 10006

Attorneys for the Creditors Committee

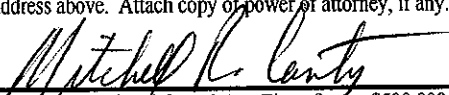
Vedder Price, P.C.  
Attn.: Michael J. Edelman, Esq.  
Michael L. Schein, Esq.  
Attorneys for Export Development Canada  
1633 Broadway, 47<sup>th</sup> floor  
New York, NY 10019

Cohen, Weiss and Simon LLP  
Attn.: Babette Ceccotti, Esq.  
Attorneys for the UAW  
330 W. 42<sup>nd</sup> Street  
New York, NY 10036

Office of the United States Trustee for the  
Southern District of New York  
Attn.: Diana G. Adams, Esq.  
33 Whitehall Street  
21<sup>st</sup> floor  
New York, NY 10004

  
\_\_\_\_\_  
Mitchell Canty, Pro Se  
8146 Reynoldswood Drive  
Reynoldsburg, Ohio 43068  
614-738-4604

B 10 (Official Form 10) (12/07)

<b>UNITED STATES BANKRUPTCY COURT</b> Southern District of New York		<b>PROOF OF CLAIM</b>
Name of Debtor: <b>General Motors Corp., et al.</b>		Case Number: <b>09-50026 (REG)</b>
<i>NOTE: This form should not be used to make a claim for an administrative expense arising after the commencement of the case. A request for payment of an administrative expense may be filed pursuant to 11 U.S.C. § 503.</i>		
Name of Creditor (the person or other entity to whom the debtor owes money or property): <b>Mitchell R. Canty</b>		<input type="checkbox"/> Check this box to indicate that this claim amends a previously filed claim.  Court Claim Number: _____ (If known)  Filed on: _____
Name and address where notices should be sent:  <b>8146 Reynoldswood Drive Reynoldsburg, Ohio 43068</b>		
Telephone number: <b>(614) 738-4604</b>		
Name and address where payment should be sent (if different from above):  Telephone number: _____		<input type="checkbox"/> Check this box if you are aware that anyone else has filed a proof of claim relating to your claim. Attach copy of statement giving particulars.  <input type="checkbox"/> Check this box if you are the debtor or trustee in this case.
1. Amount of Claim as of Date Case Filed:      \$ <u>500,000.00</u>  If all or part of your claim is secured, complete item 4 below; however, if all of your claim is unsecured, do not complete item 4.  If all or part of your claim is entitled to priority, complete item 5.  <input type="checkbox"/> Check this box if claim includes interest or other charges in addition to the principal amount of claim. Attach itemized statement of interest or charges.		
2. Basis for Claim: <u>property dam-personal inj</u> (See instruction #2 on reverse side.)		5. Amount of Claim Entitled to Priority under 11 U.S.C. §507(a). If any portion of your claim falls in one of the following categories, check the box and state the amount.  Specify the priority of the claim.  <input type="checkbox"/> Domestic support obligations under 11 U.S.C. §507(a)(1)(A) or (a)(1)(B).  <input type="checkbox"/> Wages, salaries, or commissions (up to \$10,950*) earned within 180 days before filing of the bankruptcy petition or cessation of the debtor's business, whichever is earlier – 11 U.S.C. §507 (a)(4).  <input type="checkbox"/> Contributions to an employee benefit plan – 11 U.S.C. §507 (a)(5).  <input type="checkbox"/> Up to \$2,425* of deposits toward purchase, lease, or rental of property or services for personal, family, or household use – 11 U.S.C. §507 (a)(7).  <input type="checkbox"/> Taxes or penalties owed to governmental units – 11 U.S.C. §507 (a)(8).  <input checked="" type="checkbox"/> Other – Specify applicable paragraph of 11 U.S.C. §507 (a)(____).  Amount entitled to priority:  \$ <u>500,000.00</u>  <i>*Amounts are subject to adjustment on 4/1/10 and every 3 years thereafter with respect to cases commenced on or after the date of adjustment.</i>
3. Last four digits of any number by which creditor identifies debtor: <u>3166</u>  3a. Debtor may have scheduled account as: _____ (See instruction #3a on reverse side.)		
4. Secured Claim (See instruction #4 on reverse side.) Check the appropriate box if your claim is secured by a lien on property or a right of setoff and provide the requested information.  Nature of property or right of setoff: <input type="checkbox"/> Real Estate <input type="checkbox"/> Motor Vehicle <input type="checkbox"/> Other Describe:  Value of Property: \$ _____ Annual Interest Rate: _____ %  Amount of arrearage and other charges as of time case filed included in secured claim, if any: \$ _____ Basis for perfection: _____  Amount of Secured Claim: \$ _____ Amount Unsecured: \$ _____		
6. Credits: The amount of all payments on this claim has been credited for the purpose of making this proof of claim.		
7. Documents: Attach redacted copies of any documents that support the claim, such as promissory notes, purchase orders, invoices, itemized statements of running accounts, contracts, judgments, mortgages, and security agreements. You may also attach a summary. Attach redacted copies of documents providing evidence of perfection of a security interest. You may also attach a summary. (See definition of "redacted" on reverse side.)  DO NOT SEND ORIGINAL DOCUMENTS. ATTACHED DOCUMENTS MAY BE DESTROYED AFTER SCANNING.  If the documents are not available, please explain: _____		
Date: <b>06/16/2009</b>	Signature: The person filing this claim must sign it. Sign and print name and title, if any, of the creditor or other person authorized to file this claim and state address and telephone number if different from the notice address above. Attach copy of power of attorney, if any.  	

Penalty for presenting fraudulent claim: Fine of up to \$500,000 or imprisonment for up to 5 years, or both. 18 U.S.C. §§ 152 and 3571.

# Mitchell Canty

8146 Reynoldswood Drive \* Reynoldsburg, Ohio 43068 \* 614-738-4604 \* [Mitchell.canty@dla.mil](mailto:Mitchell.canty@dla.mil)

May 26, 2009

General Motors Corporation  
Attn.: Accounts Payable  
300 Renaissance Center  
Detroit, MI 48265-3000  
Phone: 313-556-5000

INVOICE NO.: 33166

RE: 2001 Cadillac DTS Accident – Failure of Airbag Deployment  
Date of Accident: 12/18/2008  
VIN: 1G6KF57951U245673  
**INVOICE for Damages**

General Motors Corporation  
Attn.: Accounts Payable

**Amount Due**

Please accept this INVOICE in the amount of Five Hundred Thousand dollars (\$500,000.00) for the damages to property and vehicle occupants for the failure of the airbag system to deploy during the 12/18/2009 head on collision of the 2001 Cadillac DTS owned and operated by Mitchell Canty.

**\$500,000.00**

Owner and occupant has a reasonable expectation that the airbag system in this vehicle would deploy to protect the occupants during this accident, at which the accident occurred at a speed in excess of 40 MPH.

Invoice amount is immediately due and payable.

Please remit payment in full to the following:

Mitchell R. Canty  
8146 Reynoldswood Drive  
Reynoldsburg, Ohio 43068  
614-738-4604

**BALANCE DUE      \$500,000.00**